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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/632,266 | 08/03/2000 | Alain Del Vecchio | MGRN:376 | 1812 |
| 7590 | 12/17/2003 | | EXAMINER | LAXTON, GARY L |
| Parkhurst & Wendel LLP Suite 210 1421 Prince Street Alexandria, VA 22314-2805 | | | ART UNIT | PAPER NUMBER |
| | | | 2838 | |

DATE MAILED: 12/17/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/632,266

Applicant(s)

DEL VECCHIO ET AL.

Examiner

Gary L. Laxton

Art Unit

2838

ML

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 03 September 2003.

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-14 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) 9 is/are allowed.

6) Claim(s) 1-8 and 10-14 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

13) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
 a) The translation of the foreign language provisional application has been received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) Notice of References Cited (PTO-892) 4) Interview Summary (PTO-413) Paper No(s). _____.
2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) Notice of Informal Patent Application (PTO-152)
3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____. 6) Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1, 3-8 and 10-14 have been considered but are moot in view of the new ground(s) of rejection.

Claim Objections

2. Claim 2 is objected to because of the following informalities:

Claim 2 recites the limitation "the display means" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 2, 10, 12 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over admitted prior art figure 1 and Oravetz et al in view of Tsuruta et al.

Claims 1, 2, 10, 12 and 14. Admitted prior art figure 1 discloses an electronic trip device comprising communication means (e.g. the electrical connection between the processor (5) and man-machine interface (8)); a processing unit (5) having inputs to receive electrical signals

(figure 1) representative of electrical quantities (current) and an output (figure 1) to supply a tripping signal to a tripping relay (6); and a man-machine interface (8) connected to the processing unit (5) to supply setting parameters and to display information and tripping curves on a screen (9); main contacts (2) connected in series with power conductors (1); interface (9); circuit breaker comprising contacts (2), current sensors (4), relay (6) [figure 1 of admitted prior art].

However, the admitted prior art figure 1 does not disclose the means for displaying setting parameters in the man-machine interface for modifying the visual aspect of at least one portion of curve representative of a parameter whose setting is to be changed.

Oravetz et al teaches changing the aspect of a selected segment of a trip curve by graphic manipulation (col. 6 lines 30-35).

However, Oravetz et al do not teach changing the visual aspect of the line.

Tsuruta et al teach changing the visual aspect of a selected line by changing the thickness of the line (col. 15 lines 5-10) in a changing and setting operation thereof.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the visual aspect of at least one portion of curve representative of a parameter whose setting is to be changed in order to facilitate rather precise tailoring of the breakers response characteristics to a particular current trip function during a setting and changing operation taught by Tsuruta et al.

5. Claims 3-8, 11 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over admitted prior art figure 1, Oravetz et al and Tsuruta et al and further in view of Alexander et al.

Claims 3-8, 11, and 13. Admitted prior art figure 1, Oravetz et al and Tsututa et al disclose the claimed invention as stated above in regards to claim 1 except for changing the background of an item of information; framing an item of information to be selected; highlighting information in a scrollable menu; function buttons and indicator lights or soft keys represented on a screen of the interface. Nor does the admitted prior art figure 1 and Oravetz et al disclose the communication means is for communicating according to an internet type protocol.

Alexander et al teaches a method for graphically displaying a menu for selection and viewing of load related parameters including function buttons and indicator lights (figure 4; 408, 410, 412, 402, 404, 420, 422); highlighting and soft keys (figure 6A-6F) and changing the background of information (figures 6A-6F) in a scrollable menu in order to allow a user to set trip parameters and to control display modes. Furthermore, Alexander et al teach, col. 19 line 8, using a communication protocol in order to send and receive data and information.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide a man-machine interface with a display means for displaying a scrollable menu by highlighting information in the menu and using function buttons to enter or alter the information as well as for validating information or escaping to a different mode of operation as taught by Alexander et al in order to allow a user to visually display trip characteristics and to manipulate the parameters and to control display modes in a simple user friendly program environment to reduce user input error. Furthermore, it would have been

obvious to one having ordinary skill in the art at the time the invention was made to use a communication means for communicating according to an internet type protocol in order to communicate between devices that use internet type protocol in order to send and receive data and information accurately and efficiently.

Allowable Subject Matter

6. Claim 9 is still considered allowable for the reasons stated in the last office action.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gary L. Laxton whose telephone number is (703) 305-7039. The examiner can normally be reached on Monday thru Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Sherry can be reached on (703)308-1680. The fax phone number for the organization where this application or proceeding is assigned is (703)-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.



12/15/03

MICHAEL SHERRY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800

Gary L. Laxton
Patent Examiner
Art Unit 2838

GLL